

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RAYMOND K. HEDGESPETH, JR.,

Plaintiff,

v.

BYRON BARTOW and STEVE WATTERS,

Defendant.

ORDER

09-cv-246-slc

In this case, plaintiff Raymond Hedgespeth has been granted leave to proceed *in forma pauperis* on his First Amendment claim against defendants Byron Bartow and Steve Watters. Now before the court is plaintiff's motion to compel discovery. Defendant has responded to the motion.

In his motion, plaintiff moves to compel defendants to answer six requests for interrogatories that he served on them on July 21, 2009. These discovery requests were served on the defendants before they had filed their answer in this case. On August 7, 2009, defendants' counsel wrote plaintiff a letter, explaining to him that the number of his interrogatories exceeded the number allowed by Fed. R. Civ. P. Rule 33(a)(1). She gave him the opportunity to re-file a request for 25 interrogatories to which defendants would respond. Instead, plaintiff filed this motion to compel defendants to answer the initial 149 numbered requests for interrogatories.

Plaintiff asks the court to allow him to ask defendants more interrogatories than the 25 allowed by Rule 33. I am not persuaded that the additional interrogatories are necessary to assist plaintiff in litigating his case. As defendants point out, many of the requests are

objectionable for various reasons including that they are vague, ambiguous, argumentative, seek irrelevant information and ask for a pure legal conclusion with no relation to relevant facts. I will deny plaintiff's motion to compel answers to his six requests for interrogatories. However, plaintiff may serve defendants with 25 interrogatories pursuant to Rule 33(a)(1).

ORDER

IT IS ORDERED that plaintiff's motion to compel discovery, dkt. #23, is DENIED.

Entered this 9th day of September, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge